

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

TAHINA CORCORAN,)
Plaintiff,)
v.) No. 1:24-cv-02165-JRS-MG
CHRISTINA REAGLE,)
Chief Legal Officer ANNA QUICK,)
Warden RON NEAL,)
Defendants.)

Order Transferring Action to Northern District of Indiana

Joseph Corcoran has been convicted of capital murder and is scheduled to be executed at Indiana State Prison on December 18, 2024. He filed a civil complaint under 42 U.S.C. § 1983 alleging that Indiana Department of Correction ("IDOC") officials have refused his request for his spiritual provider to be present in the execution chamber at the time of his death. Dkt. 1.

Indiana State Prison is located in LaPorte County, Indiana. This case could have been brought in the South Bend Division of the Northern District of Indiana, where "a substantial part of the events or omissions giving rise to the claim occurred." 28 U.S.C. § 1391(b)(2); *see also* 28 U.S.C. § 94(a)(2) (LaPorte, Indiana, included in South Bend Division of the Northern District of Indiana).

"For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought."

28 U.S.C. § 1404(a); *see also Atlantic Marine Const. Co., v. U.S. Dist. Court for W. Dist. of Texas*, 571 U.S. 49, 59 (2013) ("Unlike § 1406(a), § 1404(a) does not condition transfer on the initial forum's being 'wrong.'"). Mr. Corcoran names three defendants. Two—Chief Legal Officer of the

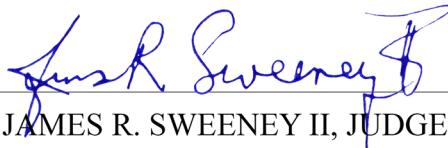
IDOC Anna Quick, and IDOC Commissioner Christina Reagle—are employed at IDOC's headquarters in Indianapolis, in the Southern District of Indiana. A third, ISP Warden Ron Neal, is employed in the Northern District.

Mr. Corcoran states in his complaint that he filed the instant lawsuit in this district because Ms. Quick denied his religious accommodation request for his spiritual advisor to be present with him in the room during the time of his execution. Dkt. 1 at ¶ 7. But the execution is scheduled to be carried out in the Northern District. And Warden Neal, of all the defendants, is the official who is most likely to be responsible to ensure that any injunctive relief is carried out. *Gonzalez v. Feinerman*, 663 F.3d 311, 315 (7th Cir. 2011) (The proper defendant for an injunctive relief claim is the person who "would be responsible for ensuring that any injunctive relief is carried out.").

Accordingly, for the convenience of parties and witnesses and in the interest of justice, this action is now **transferred** to the United States District Court for the Northern District of Indiana, South Bend Division. The motion for leave to proceed in forma pauperis remains pending for review by the Northern District of Indiana. The **clerk is directed** to terminate the motion at docket [2], and to send a copy of this Order via email to Tyler Banks, the Supervising Deputy Attorney General at the Office of the Indiana Attorney General.

IT IS SO ORDERED.

Date: 12/10/2024



JAMES R. SWEENEY II, JUDGE
United States District Court
Southern District of Indiana

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